

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KORDEV LLC,

Plaintiff,

v.

No. 2:21-cv-01341-NR

EAGLE HEMP, LLC and TRIM LIFE LABS
LLC,

Defendants.

AMENDED CASE MANAGEMENT ORDER

The Court held an initial case management conference on August 9, 2022, following which it issued its original Case Management Order. (Doc. 24.) The Court subsequently permitted counsel for Plaintiffs to withdraw on September 27, 2022 (Doc. 35), and new counsel for Plaintiffs entered a notice of appearance on December 2, 2022 (Doc. 41). Accordingly, the Court issues the following amended schedule:

Mandatory Alternative Dispute Resolution

1. The Court previously appointed Gary Hunt as mediator. The parties shall file an amended ADR stipulation setting forth the specific date of the session by **December 16, 2022**.

The parties must pick a date no later than **March 31, 2023**.

Discovery Schedule

2. Initial disclosures required by Rule 26(a) of the Federal Rules of Civil Procedure were to have been made by **August 23, 2022**. This includes the production of all documents referenced in each party's disclosures. The parties are reminded to supplement their disclosures with due diligence.

3. Fact discovery shall be completed by **April 14, 2023**. The discovery deadline shall be extended only by leave of court, and only upon motion filed before the expiration of such deadline. The motion shall: (a) specify discovery that has been completed to date; (b) state with specificity the reasons for the requested extension; (c) list any previous extensions of discovery; and (d) attach a proposed order that establishes the extended pretrial schedule being requested. Any such motion shall contain a certificate of conferral as required by Local Rule 16.1.B.3.

4. Pursuant to Local Civil Rule 16.1(D), and to aid in the implementation of Fed. R. Evid. 502, the following is ordered in the event of an inadvertent disclosure of any privileged or trial preparation/attorney work product material:

- (a) The producing party shall promptly notify all receiving parties of the inadvertent product of any privileged or trial preparation material. Any receiving party who has reasonable cause to believe that it has received privileged or trial preparation material shall promptly notify the producing party.
- (b) Upon receiving notice of inadvertent production, any receiving party shall immediately retrieve all copies of the inadvertently disclosed material and sequester such material pending a resolution of the producing party's claim either by the Court or by agreement of the parties.
- (c) If the parties cannot agree as to the claim of privilege, the producing party shall move the Court for a resolution within 30 days of the notice set forth in subparagraph (a). Nothing herein shall be construed to prevent a

receiving party from moving the Court for a resolution, but such motion must be made within the 30-day period.

5. The parties shall meet and confer regarding all discovery disputes. If a dispute is not resolved, then instead of filing a discovery motion, the parties shall contact Chambers. The Court will then either set up a conference or order the parties to e-mail a brief summary of the nature of the dispute, so that the Court can attempt to resolve the dispute without the need for motions practice. If a dispute remains unresolved at that point, the Court will issue a briefing schedule to decide the discovery dispute. In connection with those briefs, each interested party shall submit a carefully crafted proposed order along with its brief, which should include in it the precise relief requested and the amount of any attorneys' fees and costs to be awarded. If appropriate, the Court will decide the dispute by executing one of the party's proposed orders.

Motions to Amend or Add New Parties

6. Any consented-to amended pleadings or joinder of parties shall be filed no later than **January 20, 2023**. Lacking consent, any motion to amend pleadings or join parties shall be filed no later than **January 20, 2023**.

Discovery Status Update

7. On or before **March 14, 2023**, the parties shall file a joint status report, updating the Court on the status of discovery, identifying: (i) the discovery completed to date; (ii) the discovery that remains; and (iii) the existence of any discovery disputes.

Post-Discovery Status Conference

8. Upon the completion of fact discovery, the Court shall hold a telephonic post-discovery status conference on **April 17, 2023 at 9:00 a.m.** Dial-in information is as follows: 412-547-0144, with an access code of 300331442#.

DATED this 9th day of December, 2022.

BY THE COURT:

s/ J. Nicholas Ranjan

United States District Judge